

Remarks/Arguments

Claims 1-17 remain pending in this application. Reexamination and reconsideration are requested.

As an initial matter, claim 3 has been indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates the indication of allowable subject matter but wishes to defer accepting such until the Examiner has had an opportunity to consider the amendments and remarks offered forth herein.

Claim 1 has been amended to recite that the cable-routing device is “characterized in that at least one pivoting joint is designed in such a way that, in order to form and/or disconnect the pivoting joint, the respective links and/or joint elements to be joined to one another and/or disconnected from one another can be joined and/or separated in a direction that ~~differs from~~ encloses an angle relative to the longitudinal axis of the cable-routing device”. Support may be found at page 2 line 33 to page 3 line 1 of the English translation which recites “[t]hus, disconnection of the pivoting joint, e.g. release of the snap-in elements of the same, requires movement of the joint elements and/or the corresponding links in a direction that differs from the longitudinal direction of the cable-routing device”. Also see page 3 lines 1-13 which recite “[r]elatively simple disconnection and/or joining of the links is, however, possible if the links can be moved towards each other or away from each other in a direction that differs from the longitudinal axis of the cable-routing device”. Accordingly, no new matter has been entered.

Claim 8 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for use of the word “possibly”. Claim 8 has been amended to remove that word. Accordingly, no new matter has been entered.

In addition, new dependent claim 18 has been added which recites the cable-routing device of claim 1, characterized in that the links are not separable along their longitudinal axis. Support can be found at paragraph [0035] of the published application which recites that at the start of disconnection and/or at the end of the connecting

procedure, the adjacent links and the joint elements have to be moved essentially through 90° relative to each other and to longitudinal axis 9 of the cable-routing device. In addition, attention is directed to FIG. 2 (reproduced further herein) which clearly illustrates that the links 2 are not separable along longitudinal axis 9. In fact, this is further elaborated upon in the specification which teaches those of skill in the art that the design herein is one that “ensures that the connecting and disconnecting direction of the links or the joining elements differs from the longitudinal direction of the cable routing device meaning that high tensile forces can be absorbed.” See paragraph [009] of the published application. Those of skill in the art would clearly understand a tensile force to be a force along the longitudinal axis. Accordingly, no new matter has been entered.

Claims 1-2, 4-14 and 16-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Holshausen (USP 5,824,957). Holshausen appears to be directed at an electrical cable containment device including several containment passages having an entrance opening for inserting cable. A plurality of short elements includes male and female connectors for joining the elements. The connectors are ball and socket that are insertable into one another along the longitudinal axis of the device. The reference does not appear to teach or suggest that the angle of connection/disconnection be any angle other than 0°, that is, in-line with the longitudinal axis of the connectors.

The cable of the present disclosure may be capable of absorbing high tensile forces and/or thrust, especially in the longitudinal direction and as a result of the links being joined and/or separated in a direction that differs from the longitudinal axis of the cable-routing device, when a tensile force or thrust may be applied to the cable-routing device in its longitudinal direction, the direction of flow of the force does not lie in the direction in which the links are intended to be joined to one another and/or separated from one another in order to form and/or disconnect a pivoting joint. This may further be appreciated by viewing FIG. 2 of the present application, which as noted is reproduced below for the convenience of the Examiner, in comparison to FIG. 15 of Holshausen, also shown below. Even though the elements 80 of Holshausen may swivel, to disconnect them it appears that one must provide a force in the direction of the

longitudinal axis of the device (i.e. ball **92** fits within socket **88** and is understood to be removed along centerline **106**).

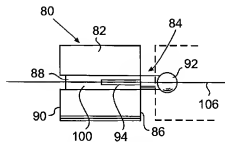


FIG. 15

Thus it is believed that claim 1, as amended herein, is distinguished over the primary reference of Holshausen.

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Holshausen (USP 5,824,957) in view of Lockwood (USP 6, 042,155). The deficiencies of Holshausen are discussed above. The Examiner then turns to Lockwood for links that overlap. This reference appears to be directed at a series of connectors having ball and socket elements with a passageway therethrough. The connectors snap-fit together and overlap, however, it is the “joints” that overlap to interconnect, and not the “links”, as in the present disclosure. Claim 15 depends directly from amended claim 1 and is believed to be similarly distinguished. It is further believed that Lockwood does not make up for the deficiencies of Holshausen and that the rejection under 102/103 has been overcome.

Finally, as noted above, dependent claim 18 recites the feature that links are not separable along said longitudinal axis of the cable-routing device. This also separately distinguishes over Holshausen, who, as noted separates along the longitudinal axis of the disclosed device.

In consideration of the amendments to the claims and the remarks hereinabove, Applicant respectfully submits that all claims currently pending in the application are believed to be in condition for allowance. Allowance at an early date is respectfully solicited.

Application No.: 10/552,427

Amendment in Response to Office Action Dated 10/02/2007

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,

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